

January 18, 2008

Electronically filed

United States District Court
Civil Clerk's Office
Attn: Craig Nicewicz, clerk to
Judge Nathaniel M. Gorton
One Courthouse Way
Boston, MA 02210

RE: Thomas M. Kelley
VS: Town of Plymouth & Robert J. Pomeroy
as Chief of the Plymouth Police
Department & Individually
Civil Action No: 05 10596 NMG

Dear Mr. Nicewicz:

Please be advised that the parties in the above-referenced matter hereby agree to have this case tried by jury before the Magistrate Judge (Bowler).

PLAINTIFF,
THOMAS KELLEY,
By his attorney,

Respectfully submitted,
DEFENDANTS,
ROBERT J. POMEROY and the
TOWN OF PLYMOUTH,
By their attorneys,

/s/ Joseph R. Gallitano

Joseph R. Gallitano, BBO#183700
34 Main Street
Suite 202
Plymouth, MA 02360
(508) 746-1500

/s/ Jeremy I. Silverfine

Leonard H. Kesten, BBO# 542042
Jeremy I. Silverfine, BBO#542779
BRODY, HARDOON, PERKINS & KESTEN, LLP
One Exeter Plaza
Boston, MA 02116
(617) 880-7100